

Introduced by Senator PadillaFebruary 20, 2008

An act to amend Sections 11155.2 and 11450 of the Welfare and Institutions Code, relating to CalWORKs.

LEGISLATIVE COUNSEL'S DIGEST

SB 1341, as introduced, Padilla. CalWORKs: personal property retention.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states, with California's version of this program being known as the California Work Opportunity and Responsibility to Kids (CalWORKs) program.

Existing law provides for the CalWORKs program, under which each county provides cash assistance and other benefits to qualified low-income families and individuals who meet specified eligibility criteria.

Existing law imposes limits on the amount of income and personal and real property, including savings accounts, that an individual or family may possess in order to be eligible for aid under the CalWORKs program, but authorizes an eligible family to retain savings and interest thereon for specified purposes.

This bill would expand the scope of purposes for which eligible savings may be used to include costs associated with securing permanent rental housing or to make rent payments to overcome an episode of homelessness.

Existing law provides for the payment, under the CalWORKs program, of an allowance for nonrecurring special needs, after a family has used

all available liquid resources, both exempt and nonexempt, in excess of \$100.

This bill would exempt from that limitation funds deposited into a restricted account to cover costs associated with securing permanent rental housing or to make rent payments to overcome an episode of homelessness.

Existing law continuously appropriates moneys from the General Fund to defray a portion of county aid grant costs under the CalWORKs program.

This bill would declare that no appropriation would be made for purposes of the bill.

By expanding the uses for which funds contained in a restricted account may be used, this bill would expand the responsibilities of counties in the administration of the CalWORKs program, and would result in a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11155.2 of the Welfare and Institutions
 2 Code is amended to read:
 3 11155.2. (a) In addition to the personal property permitted by
 4 this part, recipients of aid under CalWORKs shall be permitted to
 5 retain savings and interest thereon for specified purposes. Interest
 6 earned from these savings and deposited into a restricted account
 7 shall be considered exempt as income for purposes of determining
 8 eligibility for aid and grant amounts if the interest is retained in
 9 the account. If the interest is not deposited by the financial
 10 institution into the account, the interest shall be treated as a
 11 nonqualifying withdrawal of funds from the account as specified
 12 in subdivision (b). This section shall not apply to applicants. Funds
 13 may be used by the family for education or job training expenses

1 for the accountholder or his or her dependents, for starting a
2 business,~~or~~ for the purchase of a home, *or for costs associated*
3 *with securing permanent rental housing or to make rent payments*
4 *to overcome an episode of homelessness*. Recipients who wish to
5 retain savings for these purposes shall enter into a written
6 agreement with the county to establish a separate account with a
7 financial institution, with the account to be used solely for the
8 purpose of accumulating funds for later withdrawal for a qualifying
9 expenditure. A qualifying expenditure shall be defined by
10 department regulations and shall be verified by the recipient. The
11 recipient shall agree to provide periodic verification of account
12 activity, as required by department regulations. The agreement
13 shall notify the recipient of the penalty for nonqualifying
14 withdrawal of funds.

15 (b) Any nonqualifying withdrawal of funds from the account
16 shall result in a calculation of a period of ineligibility for all persons
17 in the assistance unit, to be determined by dividing the balance in
18 the account immediately prior to the withdrawal by the minimum
19 basic standard of adequate care for the members of the assistance
20 unit, as set forth in Section 11452. The resulting whole number
21 shall be the number of months of ineligibility. The period of
22 ineligibility may be reduced when the minimum basic standard of
23 adequate care of the assistance unit, including special needs,
24 increases.

25 (c) If the California Savings and Asset Project is established
26 pursuant to Chapter 17 (commencing with Section 50897) of Part
27 2 of Division 31 of the Health and Safety Code, then to the extent
28 permitted by federal law, a recipient shall be eligible to receive
29 matching funds derived from federal contributions for the purpose
30 of establishing an individual account in an amount not to exceed
31 three thousand dollars (\$3,000) in addition to the amounts specified
32 in subdivision (a) and a fiduciary organization may provide
33 amounts in excess of the first three thousand dollars (\$3,000)
34 limitation if contributed solely through private sources.

35 SEC. 2. Section 11450 of the Welfare and Institutions Code,
36 as amended by Section 1 of Chapter 726 of the Statutes of 2007,
37 is amended to read:

38 11450. (a) (1) Aid shall be paid for each needy family, which
39 shall include all eligible brothers and sisters of each eligible
40 applicant or recipient child and the parents of the children, but

1 shall not include unborn children, or recipients of aid under Chapter
 2 3 (commencing with Section 12000), qualified for aid under this
 3 chapter. In determining the amount of aid paid, and notwithstanding
 4 the minimum basic standards of adequate care specified in Section
 5 11452, the family’s income, exclusive of any amounts considered
 6 exempt as income or paid pursuant to subdivision (e) or Section
 7 11453.1 shall be deducted from the sum specified in the following
 8 table, as adjusted for cost-of-living increases pursuant to Section
 9 11453 and paragraph (2). In no case shall the amount of aid paid
 10 for each month exceed the sum specified in the following table,
 11 as adjusted for cost-of-living increases pursuant to Section 11453
 12 and paragraph (2), plus any special needs, as specified in
 13 subdivisions (c), (e), and (f):

15 Number of 16 eligible needy 17 persons in 18 the same home	Maximum aid
19 1.....	\$ 326
20 2.....	535
21 3.....	663
22 4.....	788
23 5.....	899
24 6.....	1,010
25 7.....	1,109
26 8.....	1,209
27 9.....	1,306
28 10 or more.....	1,403

29
 30 If, when, and during those times that the United States
 31 government increases or decreases its contributions in assistance
 32 of needy children in this state above or below the amount paid on
 33 July 1, 1972, the amounts specified in the above table shall be
 34 increased or decreased by an amount equal to that increase or
 35 decrease by the United States government, provided that no
 36 increase or decrease shall be subject to subsequent adjustment
 37 pursuant to Section 11453.

38 (2) The sums specified in paragraph (1) shall not be adjusted
 39 for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94,
 40 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through

1 October 31, 1998, nor shall that amount be included in the base
2 for calculating any cost-of-living increases for any fiscal year
3 thereafter. Elimination of the cost-of-living adjustment pursuant
4 to this paragraph shall satisfy the requirements of Section 11453.05,
5 and no further reduction shall be made pursuant to that section.

6 (b) When the family does not include a needy child qualified
7 for aid under this chapter, aid shall be paid to a pregnant mother
8 for the month in which the birth is anticipated and for the
9 three-month period immediately prior to the month in which the
10 birth is anticipated in the amount which would otherwise be paid
11 to one person, as specified in subdivision (a), if the mother, and
12 child if born, would have qualified for aid under this chapter.
13 Verification of pregnancy shall be required as a condition of
14 eligibility for aid under this subdivision. Aid shall also be paid to
15 a pregnant woman with no other children in the amount which
16 would otherwise be paid to one person under subdivision (a) at
17 any time after verification of pregnancy if the pregnant woman is
18 also eligible for the Cal-Learn Program described in Article 3.5
19 (commencing with Section 11331) and if the mother and child, if
20 born, would have qualified for aid under this chapter.

21 (c) The amount of forty-seven dollars (\$47) per month shall be
22 paid to pregnant mothers qualified for aid under subdivision (a)
23 or (b) to meet special needs resulting from pregnancy if the mother,
24 and child, if born, would have qualified for aid under this chapter.
25 County welfare departments shall refer all recipients of aid under
26 this subdivision to a local provider of the Women, Infants and
27 Children program. If that payment to pregnant mothers qualified
28 for aid under subdivision (a) is considered income under federal
29 law in the first five months of pregnancy, payments under this
30 subdivision shall not apply to persons eligible under subdivision
31 (a), except for the month in which birth is anticipated and for the
32 three-month period immediately prior to the month in which
33 delivery is anticipated, if the mother, and the child if born, would
34 have qualified for aid under this chapter.

35 (d) For children receiving AFDC-FC under this chapter, there
36 shall be paid, exclusive of any amount considered exempt as
37 income, an amount of aid each month which, when added to the
38 child's income, is equal to the rate specified in Section 11460,
39 11461, 11462, 11462.1, or 11463. In addition, the child shall be
40 eligible for special needs, as specified in departmental regulations.

1 (e) In addition to the amounts payable under subdivision (a)
2 and Section 11453.1, a family shall be entitled to receive an
3 allowance for recurring special needs not common to a majority
4 of recipients. These recurring special needs shall include, but not
5 be limited to, special diets upon the recommendation of a physician
6 for circumstances other than pregnancy, and unusual costs of
7 transportation, laundry, housekeeping services, telephone, and
8 utilities. The recurring special needs allowance for each family
9 per month shall not exceed that amount resulting from multiplying
10 the sum of ten dollars (\$10) by the number of recipients in the
11 family who are eligible for assistance.

12 (f) After a family has used all available liquid resources, both
13 exempt and nonexempt, in excess of one hundred dollars (\$100),
14 *with the exception of funds deposited in a restricted account*
15 *described in subdivision (a) of Section 11155.2 to cover costs*
16 *associated with securing permanent rental housing or to make*
17 *rent payments to overcome an episode of homelessness*, the family
18 shall also be entitled to receive an allowance for nonrecurring
19 special needs.

20 (1) An allowance for nonrecurring special needs shall be granted
21 for replacement of clothing and household equipment and for
22 emergency housing needs other than those needs addressed by
23 paragraph (2). These needs shall be caused by sudden and unusual
24 circumstances beyond the control of the needy family. The
25 department shall establish the allowance for each of the
26 nonrecurring special need items. The sum of all nonrecurring
27 special needs provided by this subdivision shall not exceed six
28 hundred dollars (\$600) per event.

29 (2) Homeless assistance is available to a homeless family
30 seeking shelter when the family is eligible for aid under this
31 chapter. Homeless assistance for temporary shelter is also available
32 to homeless families which are apparently eligible for aid under
33 this chapter. Apparent eligibility exists when evidence presented
34 by the applicant, or which is otherwise available to the county
35 welfare department, and the information provided on the
36 application documents indicate that there would be eligibility for
37 aid under this chapter if the evidence and information were verified.
38 However, an alien applicant who does not provide verification of
39 his or her eligible alien status, or a woman with no eligible children

1 who does not provide medical verification of pregnancy, is not
2 apparently eligible for purposes of this section.

3 A family is considered homeless, for the purpose of this section,
4 when the family lacks a fixed and regular nighttime residence; or
5 the family has a primary nighttime residence that is a supervised
6 publicly or privately operated shelter designed to provide temporary
7 living accommodations; or the family is residing in a public or
8 private place not designed for, or ordinarily used as, a regular
9 sleeping accommodation for human beings. A family is also
10 considered homeless for the purpose of this section if the family
11 has received a notice to pay rent or quit. The family shall
12 demonstrate that the eviction is the result of a verified financial
13 hardship as a result of extraordinary circumstances beyond their
14 control, and not other lease or rental violations, and that the family
15 is experiencing a financial crisis that could result in homelessness
16 if preventative assistance is not provided.

17 (A) (i) A nonrecurring special need of sixty-five dollars (\$65)
18 a day shall be available to families of up to four members for the
19 costs of temporary shelter, subject to the requirements of this
20 paragraph. The fifth and additional members of the family shall
21 each receive fifteen dollars (\$15) per day, up to a daily maximum
22 of one hundred twenty-five dollars (\$125). County welfare
23 departments may increase the daily amount available for temporary
24 shelter as necessary to secure the additional bedspace needed by
25 the family.

26 (ii) This special need shall be granted or denied immediately
27 upon the family's application for homeless assistance, and benefits
28 shall be available for up to three working days. The county welfare
29 department shall verify the family's homelessness within the first
30 three working days and if the family meets the criteria of
31 questionable homelessness established by the department, the
32 county welfare department shall refer the family to its early fraud
33 prevention and detection unit, if the county has such a unit, for
34 assistance in the verification of homelessness within this period.

35 (iii) After homelessness has been verified, the three-day limit
36 shall be extended for a period of time which, when added to the
37 initial benefits provided, does not exceed a total of 16 calendar
38 days. This extension of benefits shall be done in increments of one
39 week and shall be based upon searching for permanent housing
40 which shall be documented on a housing search form; good cause;

1 or other circumstances defined by the department. Documentation
2 of a housing search shall be required for the initial extension of
3 benefits beyond the three-day limit and on a weekly basis thereafter
4 as long as the family is receiving temporary shelter benefits. Good
5 cause shall include, but is not limited to, situations in which the
6 county welfare department has determined that the family, to the
7 extent it is capable, has made a good faith but unsuccessful effort
8 to secure permanent housing while receiving temporary shelter
9 benefits.

10 (B) A nonrecurring special need for permanent housing
11 assistance is available to pay for last month's rent and security
12 deposits when these payments are reasonable conditions of securing
13 a residence, or to pay for up to two months of rent arrearages, when
14 these payments are a reasonable condition of preventing eviction.

15 The last month's rent or monthly arrearage portion of the
16 payment (i) shall not exceed 80 percent of the family's total
17 monthly household income without the value of food stamps or
18 special needs for a family of that size and (ii) shall only be made
19 to families that have found permanent housing costing no more
20 than 80 percent of the family's total monthly household income
21 without the value of food stamps or special needs for a family of
22 that size.

23 However, if the county welfare department determines that a
24 family intends to reside with individuals who will be sharing
25 housing costs, the county welfare department shall, in appropriate
26 circumstances, set aside the condition specified in clause (ii) of
27 the preceding paragraph.

28 (C) The nonrecurring special need for permanent housing
29 assistance is also available to cover the standard costs of deposits
30 for utilities which are necessary for the health and safety of the
31 family.

32 (D) A payment for or denial of permanent housing assistance
33 shall be issued no later than one working day from the time that a
34 family presents evidence of the availability of permanent housing.
35 If an applicant family provides evidence of the availability of
36 permanent housing before the county welfare department has
37 established eligibility for aid under this chapter, the county welfare
38 department shall complete the eligibility determination so that the
39 denial of or payment for permanent housing assistance is issued
40 within one working day from the submission of evidence of the

1 availability of permanent housing, unless the family has failed to
2 provide all of the verification necessary to establish eligibility for
3 aid under this chapter.

4 (E) (i) Except as provided in clauses (ii) and (iii), eligibility
5 for the temporary shelter assistance and the permanent housing
6 assistance pursuant to this paragraph shall be limited to one period
7 of up to 16 consecutive calendar days of temporary assistance and
8 one payment of permanent assistance. Any family that includes a
9 parent or nonparent caretaker relative living in the home who has
10 previously received temporary or permanent homeless assistance
11 at any time on behalf of an eligible child shall not be eligible for
12 further homeless assistance. Any person who applies for homeless
13 assistance benefits shall be informed that the temporary shelter
14 benefit of up to 16 consecutive days is available only once in a
15 lifetime, with certain exceptions, and that a break in the consecutive
16 use of the benefit constitutes permanent exhaustion of the
17 temporary benefit.

18 (ii) A family that becomes homeless as a direct and primary
19 result of a state or federally declared natural disaster shall be
20 eligible for temporary and permanent homeless assistance.

21 (iii) A family shall be eligible for temporary and permanent
22 homeless assistance when homelessness is a direct result of
23 domestic violence by a spouse, partner, or roommate; physical or
24 mental illness that is medically verified that shall not include a
25 diagnosis of alcoholism, drug addiction, or psychological stress;
26 or, the uninhabitability of the former residence caused by sudden
27 and unusual circumstances beyond the control of the family
28 including natural catastrophe, fire, or condemnation. These
29 circumstances shall be verified by a third-party governmental or
30 private health and human services agency, except that domestic
31 violence may also be verified by a sworn statement by the victim,
32 as provided under Section 11495.25. Homeless assistance payments
33 based on these specific circumstances may not be received more
34 often than once in any 12-month period. A county may require
35 that a recipient of homeless assistance benefits who qualifies under
36 this paragraph for a second time in a 24-month period participate
37 in a homelessness avoidance case plan as a condition of eligibility
38 for homeless assistance benefits.

39 (iv) The county welfare department shall report to the
40 department through a statewide homeless assistance payment

1 indicator system, necessary data, as requested by the department,
2 regarding all recipients of aid under this paragraph.

3 (F) The county welfare departments, and all other entities
4 participating in the costs of the AFDC program, have the right in
5 their share to any refunds resulting from payment of the permanent
6 housing. However, if an emergency requires the family to move
7 within the 12-month period specified in subparagraph (E), the
8 family shall be allowed to use any refunds received from its
9 deposits to meet the costs of moving to another residence.

10 (G) Payments to providers for temporary shelter and permanent
11 housing and utilities shall be made on behalf of families requesting
12 these payments.

13 (H) The daily amount for the temporary shelter special need for
14 homeless assistance may be increased if authorized by the current
15 year’s Budget Act by specifying a different daily allowance and
16 appropriating the funds therefor.

17 (I) No payment shall be made pursuant to this paragraph unless
18 the provider of housing is a commercial establishment, shelter, or
19 person in the business of renting properties who has a history of
20 renting properties.

21 (g) The department shall establish rules and regulations ensuring
22 the uniform application statewide of this subdivision.

23 (h) The department shall notify all applicants and recipients of
24 aid through the standardized application form that these benefits
25 are available and shall provide an opportunity for recipients to
26 apply for the funds quickly and efficiently.

27 (i) Except for the purposes of Section 15200, the amounts
28 payable to recipients pursuant to Section 11453.1 shall not
29 constitute part of the payment schedule set forth in subdivision
30 (a).

31 The amounts payable to recipients pursuant to Section 11453.1
32 shall not constitute income to recipients of aid under this section.

33 (j) For children receiving Kin-GAP pursuant to Article 4.5
34 (commencing with Section 11360) of Chapter 2, there shall be
35 paid, exclusive of any amount considered exempt as income, an
36 amount of aid each month, which, when added to the child’s
37 income, is equal to the rate specified in Section 11364.

38 SEC. 3. Section 11450 of the Welfare and Institutions Code,
39 as amended by Section 2 of Chapter 726 of the Statutes of 2007,
40 is amended to read:

1 11450. (a) (1) Aid shall be paid for each needy family, which
 2 shall include all eligible brothers and sisters of each eligible
 3 applicant or recipient child and the parents of the children, but
 4 shall not include unborn children, or recipients of aid under Chapter
 5 3 (commencing with Section 12000), qualified for aid under this
 6 chapter. In determining the amount of aid paid, and notwithstanding
 7 the minimum basic standards of adequate care specified in Section
 8 11452, the family’s income, exclusive of any amounts considered
 9 exempt as income or paid pursuant to subdivision (e) or Section
 10 11453.1, averaged for the prospective quarter pursuant to Sections
 11 11265.2 and 11265.3, and then calculated pursuant to Section
 12 11451.5, shall be deducted from the sum specified in the following
 13 table, as adjusted for cost-of-living increases pursuant to Section
 14 11453 and paragraph (2). In no case shall the amount of aid paid
 15 for each month exceed the sum specified in the following table,
 16 as adjusted for cost-of-living increases pursuant to Section 11453
 17 and paragraph (2), plus any special needs, as specified in
 18 subdivisions (c), (e), and (f):

19 20 Number of 21 eligible needy 22 persons in 23 the same home	Maximum aid
24 1.....	\$ 326
25 2.....	535
26 3.....	663
27 4.....	788
28 5.....	899
29 6.....	1,010
30 7.....	1,109
31 8.....	1,209
32 9.....	1,306
33 10 or more.....	1,403

34
 35 If, when, and during those times that the United States
 36 government increases or decreases its contributions in assistance
 37 of needy children in this state above or below the amount paid on
 38 July 1, 1972, the amounts specified in the above table shall be
 39 increased or decreased by an amount equal to that increase or
 40 decrease by the United States government, provided that no

1 increase or decrease shall be subject to subsequent adjustment
2 pursuant to Section 11453.

3 (2) The sums specified in paragraph (1) shall not be adjusted
4 for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94,
5 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through
6 October 31, 1998, nor shall that amount be included in the base
7 for calculating any cost-of-living increases for any fiscal year
8 thereafter. Elimination of the cost-of-living adjustment pursuant
9 to this paragraph shall satisfy the requirements of Section 11453.05,
10 and no further reduction shall be made pursuant to that section.

11 (b) When the family does not include a needy child qualified
12 for aid under this chapter, aid shall be paid to a pregnant mother
13 for the month in which the birth is anticipated and for the
14 three-month period immediately prior to the month in which the
15 birth is anticipated in the amount that would otherwise be paid to
16 one person, as specified in subdivision (a), if the mother, and child,
17 if born, would have qualified for aid under this chapter. Verification
18 of pregnancy shall be required as a condition of eligibility for aid
19 under this subdivision. Aid shall also be paid to a pregnant woman
20 with no other children in the amount which would otherwise be
21 paid to one person under subdivision (a) at any time after
22 verification of pregnancy if the pregnant woman is also eligible
23 for the Cal-Learn Program described in Article 3.5 (commencing
24 with Section 11331) and if the mother, and child, if born, would
25 have qualified for aid under this chapter.

26 (c) The amount of forty-seven dollars (\$47) per month shall be
27 paid to pregnant mothers qualified for aid under subdivision (a)
28 or (b) to meet special needs resulting from pregnancy if the mother,
29 and child, if born, would have qualified for aid under this chapter.
30 County welfare departments shall refer all recipients of aid under
31 this subdivision to a local provider of the Women, Infants and
32 Children program. If that payment to pregnant mothers qualified
33 for aid under subdivision (a) is considered income under federal
34 law in the first five months of pregnancy, payments under this
35 subdivision shall not apply to persons eligible under subdivision
36 (a), except for the month in which birth is anticipated and for the
37 three-month period immediately prior to the month in which
38 delivery is anticipated, if the mother, and the child, if born, would
39 have qualified for aid under this chapter.

1 (d) For children receiving AFDC-FC under this chapter, there
2 shall be paid, exclusive of any amount considered exempt as
3 income, an amount of aid each month which, when added to the
4 child's income, is equal to the rate specified in Section 11460,
5 11461, 11462, 11462.1, or 11463. In addition, the child shall be
6 eligible for special needs, as specified in departmental regulations.

7 (e) In addition to the amounts payable under subdivision (a)
8 and Section 11453.1, a family shall be entitled to receive an
9 allowance for recurring special needs not common to a majority
10 of recipients. These recurring special needs shall include, but not
11 be limited to, special diets upon the recommendation of a physician
12 for circumstances other than pregnancy, and unusual costs of
13 transportation, laundry, housekeeping services, telephone, and
14 utilities. The recurring special needs allowance for each family
15 per month shall not exceed that amount resulting from multiplying
16 the sum of ten dollars (\$10) by the number of recipients in the
17 family who are eligible for assistance.

18 (f) After a family has used all available liquid resources, both
19 exempt and nonexempt, in excess of one hundred dollars (\$100),
20 *with the exception of funds deposited in a restricted account*
21 *described in subdivision (a) of Section 11155.2 to cover costs*
22 *associated with securing permanent rental housing or to make*
23 *rent payments to overcome an episode of homelessness*, the family
24 shall also be entitled to receive an allowance for nonrecurring
25 special needs.

26 (1) An allowance for nonrecurring special needs shall be granted
27 for replacement of clothing and household equipment and for
28 emergency housing needs other than those needs addressed by
29 paragraph (2). These needs shall be caused by sudden and unusual
30 circumstances beyond the control of the needy family. The
31 department shall establish the allowance for each of the
32 nonrecurring special need items. The sum of all nonrecurring
33 special needs provided by this subdivision shall not exceed six
34 hundred dollars (\$600) per event.

35 (2) Homeless assistance is available to a homeless family
36 seeking shelter when the family is eligible for aid under this
37 chapter. Homeless assistance for temporary shelter is also available
38 to homeless families which are apparently eligible for aid under
39 this chapter. Apparent eligibility exists when evidence presented
40 by the applicant, or which is otherwise available to the county

1 welfare department, and the information provided on the
2 application documents indicate that there would be eligibility for
3 aid under this chapter if the evidence and information were verified.
4 However, an alien applicant who does not provide verification of
5 his or her eligible alien status, or a woman with no eligible children
6 who does not provide medical verification of pregnancy, is not
7 apparently eligible for purposes of this section.

8 A family is considered homeless, for the purpose of this section,
9 when the family lacks a fixed and regular nighttime residence; or
10 the family has a primary nighttime residence that is a supervised
11 publicly or privately operated shelter designed to provide temporary
12 living accommodations; or the family is residing in a public or
13 private place not designed for, or ordinarily used as, a regular
14 sleeping accommodation for human beings. A family is also
15 considered homeless for the purpose of this section if the family
16 has received a notice to pay rent or quit. The family shall
17 demonstrate that the eviction is the result of a verified financial
18 hardship as a result of extraordinary circumstances beyond their
19 control, and not other lease or rental violations, and that the family
20 is experiencing a financial crisis that could result in homelessness
21 if preventative assistance is not provided.

22 (A) (i) A nonrecurring special need of sixty-five dollars (\$65)
23 a day shall be available to families of up to four members for the
24 costs of temporary shelter, subject to the requirements of this
25 paragraph. The fifth and additional members of the family shall
26 each receive fifteen dollars (\$15) per day, up to a daily maximum
27 of one hundred twenty-five dollars (\$125). County welfare
28 departments may increase the daily amount available for temporary
29 shelter as necessary to secure the additional bedspace needed by
30 the family.

31 (ii) This special need shall be granted or denied immediately
32 upon the family's application for homeless assistance, and benefits
33 shall be available for up to three working days. The county welfare
34 department shall verify the family's homelessness within the first
35 three working days and if the family meets the criteria of
36 questionable homelessness established by the department, the
37 county welfare department shall refer the family to its early fraud
38 prevention and detection unit, if the county has such a unit, for
39 assistance in the verification of homelessness within this period.

1 (iii) After homelessness has been verified, the three-day limit
2 shall be extended for a period of time which, when added to the
3 initial benefits provided, does not exceed a total of 16 calendar
4 days. This extension of benefits shall be done in increments of one
5 week and shall be based upon searching for permanent housing
6 which shall be documented on a housing search form; good cause;
7 or other circumstances defined by the department. Documentation
8 of a housing search shall be required for the initial extension of
9 benefits beyond the three-day limit and on a weekly basis thereafter
10 as long as the family is receiving temporary shelter benefits. Good
11 cause shall include, but is not limited to, situations in which the
12 county welfare department has determined that the family, to the
13 extent it is capable, has made a good faith but unsuccessful effort
14 to secure permanent housing while receiving temporary shelter
15 benefits.

16 (B) A nonrecurring special need for permanent housing
17 assistance is available to pay for last month's rent and security
18 deposits when these payments are reasonable conditions of securing
19 a residence, or to pay for up to two months of rent arrearages, when
20 these payments are a reasonable condition of preventing eviction.

21 The last month's rent or monthly arrearage portion of the
22 payment (i) shall not exceed 80 percent of the family's total
23 monthly household income without the value of food stamps or
24 special needs for a family of that size and (ii) shall only be made
25 to families that have found permanent housing costing no more
26 than 80 percent of the family's total monthly household income
27 without the value of food stamps or special needs for a family of
28 that size.

29 However, if the county welfare department determines that a
30 family intends to reside with individuals who will be sharing
31 housing costs, the county welfare department shall, in appropriate
32 circumstances, set aside the condition specified in clause (ii) of
33 the preceding paragraph.

34 (C) The nonrecurring special need for permanent housing
35 assistance is also available to cover the standard costs of deposits
36 for utilities which are necessary for the health and safety of the
37 family.

38 (D) A payment for or denial of permanent housing assistance
39 shall be issued no later than one working day from the time that a
40 family presents evidence of the availability of permanent housing.

1 If an applicant family provides evidence of the availability of
2 permanent housing before the county welfare department has
3 established eligibility for aid under this chapter, the county welfare
4 department shall complete the eligibility determination so that the
5 denial of or payment for permanent housing assistance is issued
6 within one working day from the submission of evidence of the
7 availability of permanent housing, unless the family has failed to
8 provide all of the verification necessary to establish eligibility for
9 aid under this chapter.

10 (E) (i) Except as provided in clauses (ii) and (iii), eligibility
11 for the temporary shelter assistance and the permanent housing
12 assistance pursuant to this paragraph shall be limited to one period
13 of up to 16 consecutive calendar days of temporary assistance and
14 one payment of permanent assistance. Any family that includes a
15 parent or nonparent caretaker relative living in the home who has
16 previously received temporary or permanent homeless assistance
17 at any time on behalf of an eligible child shall not be eligible for
18 further homeless assistance. Any person who applies for homeless
19 assistance benefits shall be informed that the temporary shelter
20 benefit of up to 16 consecutive days is available only once in a
21 lifetime, with certain exceptions, and that a break in the consecutive
22 use of the benefit constitutes permanent exhaustion of the
23 temporary benefit.

24 (ii) A family that becomes homeless as a direct and primary
25 result of a state or federally declared natural disaster shall be
26 eligible for temporary and permanent homeless assistance.

27 (iii) A family shall be eligible for temporary and permanent
28 homeless assistance when homelessness is a direct result of
29 domestic violence by a spouse, partner, or roommate; physical or
30 mental illness that is medically verified that shall not include a
31 diagnosis of alcoholism, drug addiction, or psychological stress;
32 or, the uninhabitability of the former residence caused by sudden
33 and unusual circumstances beyond the control of the family
34 including natural catastrophe, fire, or condemnation. These
35 circumstances shall be verified by a third-party governmental or
36 private health and human services agency, except that domestic
37 violence may also be verified by a sworn statement by the victim,
38 as provided under Section 11495.25. Homeless assistance payments
39 based on these specific circumstances may not be received more
40 often than once in any 12-month period. In addition, if the domestic

1 violence is verified by a sworn statement by the victim, the
2 homeless assistance payments shall be limited to two periods of
3 not more than 16 consecutive calendar days of temporary assistance
4 and two payments of permanent assistance. A county may require
5 that a recipient of homeless assistance benefits who qualifies under
6 this paragraph for a second time in a 24-month period participate
7 in a homelessness avoidance case plan as a condition of eligibility
8 for homeless assistance benefits. The county welfare department
9 shall immediately inform recipients who verify domestic violence
10 by a sworn statement pursuant to clause (iii) of the availability of
11 domestic violence counseling and services, and refer those
12 recipients to services upon request.

13 (v) If a county requires a recipient who verifies domestic
14 violence by a sworn statement to participate in a homelessness
15 avoidance case plan pursuant to clause (iii), the plan shall include
16 the provision of domestic violence services, if appropriate.

17 (vi) If a recipient seeking homeless assistance based on domestic
18 violence pursuant to clause (iii) has previously received homeless
19 avoidance services based on domestic violence, the county shall
20 review whether services were offered to the recipient and consider
21 what additional services would assist the recipient in leaving the
22 domestic violence situation.

23 (vii) The county welfare department shall report to the
24 department through a statewide homeless assistance payment
25 indicator system, necessary data, as requested by the department,
26 regarding all recipients of aid under this paragraph.

27 (F) The county welfare departments, and all other entities
28 participating in the costs of the AFDC program, have the right in
29 their share to any refunds resulting from payment of the permanent
30 housing. However, if an emergency requires the family to move
31 within the 12-month period specified in subparagraph (E), the
32 family shall be allowed to use any refunds received from its
33 deposits to meet the costs of moving to another residence.

34 (G) Payments to providers for temporary shelter and permanent
35 housing and utilities shall be made on behalf of families requesting
36 these payments.

37 (H) The daily amount for the temporary shelter special need for
38 homeless assistance may be increased if authorized by the current
39 year's Budget Act by specifying a different daily allowance and
40 appropriating the funds therefor.

1 (I) No payment shall be made pursuant to this paragraph unless
2 the provider of housing is a commercial establishment, shelter, or
3 person in the business of renting properties who has a history of
4 renting properties.

5 (g) The department shall establish rules and regulations ensuring
6 the uniform application statewide of this subdivision.

7 (h) The department shall notify all applicants and recipients of
8 aid through the standardized application form that these benefits
9 are available and shall provide an opportunity for recipients to
10 apply for the funds quickly and efficiently.

11 (i) Except for the purposes of Section 15200, the amounts
12 payable to recipients pursuant to Section 11453.1 shall not
13 constitute part of the payment schedule set forth in subdivision
14 (a).

15 The amounts payable to recipients pursuant to Section 11453.1
16 shall not constitute income to recipients of aid under this section.

17 (j) For children receiving Kin-GAP pursuant to Article 4.5
18 (commencing with Section 11360) of Chapter 2, there shall be
19 paid, exclusive of any amount considered exempt as income, an
20 amount of aid each month, which, when added to the child's
21 income, is equal to the rate specified in Section 11364.

22 SEC. 4. No appropriation pursuant to Section 15200 of the
23 Welfare and Institutions Code shall be made for the purposes of
24 this act.

25 SEC. 5. If the Commission on State Mandates determines that
26 this act contains costs mandated by the state, reimbursement to
27 local agencies and school districts for those costs shall be made
28 pursuant to Part 7 (commencing with Section 17500) of Division
29 4 of Title 2 of the Government Code.